

### **REMARKS/ARGUMENTS**

Reconsideration and allowance of the present application based on the following remarks are respectfully requested. Claims 1-7 and 10-11 have been amended. New claims 13-21 have been added. Support for the amendments may be found throughout the specification. No new matter has been added as a consequence of these amendments.

Claims 3-5 and 7 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants submit the amendments to claims 3-5 and 7 render this rejection moot, and that the claims are in full compliance with 35 U.S.C. §112, second paragraph.

Claims 1-9 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,124,490 (Gormley et al.). For at least the following reasons, the claims are believed to be patentable over the cited reference.

Unlike the dispersions of the pending claims, Gormley is directed to ionically cross-linked zwitterionic polymers of gel-like consistency. Moreover, Applicants' note that the polysiloxane of the pending claims comprise, *inter alia*, from 0.1 to 3 carboxyl groups per molecule, whereas the zwitterionic polymers of Gormley require between 10 to 1000 of corresponding carboxyl containing moieties (see Gormley col. 6, line 30 – col. 7, line 60).


Moreover, in regards to the presence of titanium dioxide, Applicants note that Example 18 of Gormley contains only about 1% by weight of titanium dioxide but 2.5% by weight of zwitterionic polymer, which amounts to 250% polymer based on titanium dioxide. In contrast, Applicants note that when the dispersions of the pending claims comprise titanium dioxide, such as claim 19, the dispersion comprises the dispersing agent in the range of 1 to 60% by weight. Accordingly, Applicants submit that it would not be obvious to one skilled in the art to modify Gormley's zwitterionic polymers, and then use said polymers at greater than an order of magnitude lower concentration to produce a dispersion containing metal oxides at a 60 fold higher concentration.

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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